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Charges on Second Man Dropped in B26 Case

By ORR KELLY
Star Staff Writer

BUFFALO, N.Y.—The government's B26 smuggling case has been narrowed down to two defendants—the pilot who flew the planes and a French count who allegedly helped set up the deal.

Charges were dropped yesterday against Woodrow Wilson Roderick, 47, a Canadian to whom several World War II surplus bombers were, according to the prosecution, transferred on paper as part of a successful attempt to smuggle them to Portugal.

Still on trial accused of conspiracy and actually smuggling two of the planes out of the country are John Richard Hawke, a bearded ex-Royal Air Force fighter pilot, and Henri Marin de Montmarin, 58, a French count who allegedly acted as a go-between in the deal.

Roderick, who has sat glumly through the seven and a half days of the trial, was charged only with conspiracy and not with the two counts of actually moving planes out of the country. It was not too big of a surprise when U.S. Atty. John T. Curtin asked to have the charges against him dismissed.

Just before the trial began, the indictment of Keat Griggers, a pilot-mechanic, was dismissed and he appeared briefly as a witness in the case, giving approximately equal comfort to both prosecution and defense.

Also named in the original indictment was Gregory Board, an Australian native who is now a citizen of the United States but who fled to his home in Jamaica just before Hawke and De Montmarin were arrested, and his firm, Aero Associates.

He was the alleged mastermind in the deal to transport the planes to Portugal for use against insurrectionists in the Portuguese African possessions of Angola and Mozambique, but

the government has not been able to catch up with him.

The prosecution case is expected to end early next week.

It is then that Edwin Marger, attorney for Hawke, will begin his attempt to show that the entire operation was run by the Central Intelligence Agency.

He has issued subpoenas for both Richard Helms, director of the Central Intelligence Agency, and Richard M. Bissell, former deputy director of the CIA and architect of the Bay of Pigs invasion. Bissell is expected to appear late next week but Helms will probably be represented by another CIA official.

An attempt yesterday to serve a subpoena on the record clerk of the U.S. mission to the United Nations failed, Marger said, when the mission claimed diplomatic immunity.

MORI/CDF